

NOTICE OF PROPOSED GUIDANCE DOCUMENT

Distributing Traffic Citation Deposits and Fines DSP127

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on Distributing Traffic Citations and Fines DSP127, Wis. Stat. ss. 345, a proposed guidance document.

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's website:

<https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DSP127>

2. Mailing written comments to:

Division of State Patrol
Wisconsin Department of Transportation
9th Floor South
4822 Madison Yards Way
Madison, WI 53705-9100

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

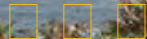
The final version of this guidance document will be posted at wisconsin.dot.gov to allow for ongoing comment.

AGENCY CONTACT

DOTDSPGuidanceDocs@DOT.WI.GOV



State of Wisconsin Department of Transportation



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The Wisconsin State Patrol issues traffic citations for violations of various state traffic laws. The revenue generated by traffic citations is not kept by the Wisconsin State Patrol. Rather, the revenue is distributed to various state and county agencies.

This document describes how the traffic citation revenue is distributed in accordance with Wisconsin statutes. These fees are applicable to all traffic citations regardless of the law enforcement agency issuing the citation.

Base deposit

State statutes determine the amount of the base deposit for traffic violations, excluding traffic violations charged under local ordinance.

This procedure ensures uniform base deposits for all Wisconsin state and county traffic citations:

- 50% of the base deposit goes to the county where the citation was issued.
- 50% of the base deposit goes to the state common school fund.

For traffic citations issued for municipal traffic violations, 100% of the base deposit is distributed to the municipality that issued the citation for a municipal traffic violation.

Court support services fee

A \$68 court support services fee goes to the state to offset county court costs.

Court cost

A \$25 court cost fee goes partially to the state and partially to the county where the citation was issued to fund overall justice system costs.

Crime lab and drug assessment fee

A \$13 fee on all violations that have a penalty assessment, except safety belt violations, goes to the state to fund crime laboratory activities.

Penalty assessment

The penalty assessment surcharge is 26% of the base deposit. Revenue from each dollar of penalty assessment is divided as follows:

- 46 cents goes to the law enforcement training fund within the Wisconsin Department of Justice.
- 12 cents is used to develop alcohol and drug abuse education programs by the Wisconsin Department of Public Instruction and the Department of Health Services.
- 16 cents goes towards matching federally funded anti-drug enforcement programs and youth diversion programs by the Wisconsin Office of Justice Assistance.
- 10 cents goes toward training correctional officers in the state prison system through the Wisconsin Department of Corrections.
- 5 cents goes toward program funds for the Office of Justice Assistance.
- 11 cents goes toward program funds for the Department of Justice.

Jail assessment

The jail assessment surcharge is 1% of the base deposit or \$10,

whichever is greater. The minimum \$10 surcharge is included in the total deposit for all traffic citations except safety belt violation. The fee goes to the county where the citation was issued and is used to construct, remodel, repair or improve county jails.

Justice information system fee*

The justice information system fee of \$21.50 goes to the state to help computerize the criminal justice system. In Milwaukee County, the JIS fee is an additional \$3.50.

Railroad crossing improvement assessment*

An assessment equal to 50% of the base deposit for violations relating to improper and dangerous crossing of railroad tracks goes to the state to fund railroad crossing protection installation and maintenance.

Driver improvement surcharge

A \$365 surcharge on operating under the influence of an intoxicant or other drug violations goes to the state to fund activities related to breath analysis instrumentation and driver improvement programs.

Truck driver education fee

An \$8 fee for all violations of Chapters 346-348, Wis. Stats., committed by an operator with a Commercial Driver License (CDL) while operating a commercial motor vehicle.

Example:

Citation distribution for speeding 11-15 mph above posted limit = \$175.30

- Court support services fee \$68
- Base deposit \$30
- Court costs \$25
- Justice information fee \$21.50
- Crime lab and drug assessment fee \$13
- Jail assessment fee \$10
- Penalty assessment \$7.80

Note:

Justice information fee in Milwaukee County is an additional \$3.50, thus the total citation in Milwaukee County for this example is \$178.80.

Note: railroad crossing improvement assessment and driver improvement surcharge are not included in this example because they are not applicable fees for a speeding citation for 11-15 mph above the posted speed limit.

Contact: 1-844-847-1234 (voice) or (608) 267-4495 (fax).

